

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

**ROBERT EMMA, Custodian, IRA, DTD
7/10/97,**

Plaintiff,

VS.

Civil Action No. 04-CV-12106 NMG

**RS INVESTMENT MANAGEMENT, L.P.,
PFPC DISTRIBUTORS, INC., G.
RANDALL HECHT, LEONARD B.
AUERBACH, JEROME S. CONTRO,
JOHN W. GLYNN JR. and MICHAEL
MCCAFFERY,**

Defendants, and

RS EMERGING GROWTH FUND,

Nominal Defendant.

**ASSENTED TO MOTION FOR AN EXTENSION OF TIME TO RESPOND TO
DEFENDANTS' MOTIONS TO DISMISS AND MOTION TO TRANSFER**

Plaintiff Robert Emma, with the consent of all defendants, moves to extend the time for plaintiff to respond to Defendants' Motions to Dismiss and Motion to Transfer – currently due to be filed on March 31, 2005 – until April 29, 2005.

Dated: March 24, 2005

Submitted by the attorneys for the Plaintiff,

/s/ Michelle H. Blauner

Edward F. Haber BBO No. 215620
Michelle H. Blauner BBO No. 549049
Shapiro Haber & Urmey LLP
Exchange Street
53 State Street
Boston, MA 02109
(617) 439-3939

OF COUNSEL:

Richard J. Vita
77 Franklin Street
3rd Fl.
Boston, MA 02110
(617) 426-6566